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July 2, 2018

By ECF

The Honorable Sarah Netburn
United States Magistrate Judge
Southern District of New York
40 Foley Square, Room 430
New York, New York 10007

Re: *In re Terrorist Attacks on September 11, 2001*
03 MDL 1570 (GBD) (FM)

This document relates to:

Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 02 Civ. 6977
Thomas Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., No. 03 Civ.
9849

Federal Insurance Co., et al. v. Al Qaida, et al., No. 03 Civ. 6978
Continental Casualty Co., et al. v. Al Qaeda, et al., No. 04 Civ. 5970
Euro Brokers Inc., et al., v. Al Baraka, et al., No. 04 Civ. 7279
Estate of John P. O'Neill et. al., v. Al Baraka et. al., No. 04 Civ. 1923

Dear Judge Netburn:

We represent defendant Yassin Abdullah Kadi in this matter. Plaintiffs' deposition of our client will take place in London on Tuesday and Wednesday July 10 and 11. We are writing to inquire if Your Honor will be available on those days for telephonic rulings if a dispute arises during the deposition.

Paragraph 91 of the deposition protocol provides that "[a] person may instruct a deponent not to answer ... when necessary ... to present a motion under Rule 30(d)(3)." (ECF No. 3894, filed January 31, 2018). Should it be necessary for us to make such a motion, it would

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be most helpful if Your Honor could be available by telephone while we are in session in London, where the time is 5 hours later than in New York. Clearly it is in the interests of all concerned to avoid a situation requiring another trip to London for an additional deposition session.

Therefore, we ask if Your Honor could be available between noon and 1:00 p.m. New York time on Tuesday July 10, by which time we expect that most disputes, if any, will have crystallized. By sometime Wednesday morning we expect that Plaintiffs' questioning will have concluded, and we hope that we could contact Your Honor at your earliest convenience that day to resolve any additional disputes.

We thank the Court for its consideration of this request.

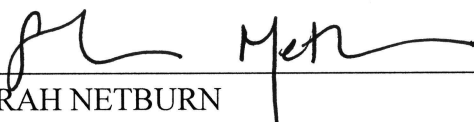
Respectfully,

s/

Peter C. Salerno

The Court will be handling various criminal matters on July 10 and 11, 2018. The parties are ORDERED to make good faith efforts to resolve any disputes on their own. If any deposition disputes cannot be resolved without the Court's intervention, the parties may contact Chambers at (212) 805-0286 and leave their contact information with my staff. I will endeavor to contact the parties as soon as practicable to resolve any such disputes. In the interim, the parties should make every effort to continue with the deposition and move on to other topics that fall outside the areas of dispute. **SO ORDERED.**

July 6, 2018
New York, New York



SARAH NETBURN
United States Magistrate Judge